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Congress of the United States House of Representatives

September 30, 2010

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

1542

Re: CS Docket No. 97-80, PP Docket No. 00-67

Dear Chairman Genachowski:

In the National Broadband Plan, the Commission appropriately highlighted the need to foster the direct-to-consumer market for navigation devices that Congress envisioned when it enacted the Telecommunications Act of 1996, including addressing shortcomings in the existing CableCARD program.

To date, the CableCARD regime has been riddled with complications. First, installation of a CableCARD typically involves several multi-hour visits by sometimes untrained technicians. Second, pricing of the CableCARD has been inconsistent and is often expensive. Third, CableCARD-enabled devices cannot access switched digital video, which is increasingly used by cable operators to conserve bandwidth, without modifications.

I urge the Commission to adopt needed changes to the CableCARD regime in the above-captioned proceeding, including ensuring that all consumers have full access to switched digital video signals without paying extra for any cable-supplied equipment that may be required to receive these signals. The Commission should also ensure that consumers can, if they so choose, self-install CableCARDS and allow for point-of-sale provisioning by interested retailers.

Thanking you for your attention to this matter, I remain

Sincerely,

Rick Boucher
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 16, 2010

The Honorable Rick Boucher
Chairman
Subcommittee on Communications, Technology,
and the Internet
Committee on Energy and Commerce
U.S. House of Representatives
316 Ford House Office Building
Washington, D.C. 20515

Dear Chairman Boucher:

Thank you for your letter regarding the Commission's CableCARD rules and ongoing efforts to promote the development of a competitive market for retail navigation devices, as contemplated in Section 629 of the Communications Act. I agree that the Commission's CableCARD regime has not worked effectively to encourage the development of a competitive market for navigation devices, and has not provided the intended benefits to consumers.

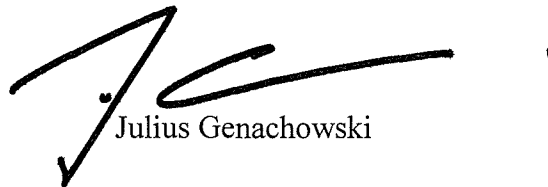
I am pleased that the Commission adopted the *Third Report and Order and Order on Reconsideration* at its October Meeting to revise the CableCARD rules. The new rules established by the *Order* will require comparable treatment of retail and leased devices. By ensuring that the consumers get the equipment credit and services to which they are entitled, the rules also will create a level playing field for consumers who buy set-top boxes. The rules streamline installation, including self-installation, and make billing more transparent. They also streamline the process for getting set-top boxes to market by eliminating unnecessary delays and costs associated with set-top box testing and certification.

Of course, this is only one step toward unleashing maximum innovation through TV. A major element still to be addressed is the possibility of increased interoperability between a consumer's pay-TV programming stream and the consumer's broadband stream of data. As the National Broadband Plan described, one approach may be to utilize a gateway device to the consumer's home that would preserve the integrity of the pay stream, while spurring greater innovation around it in new devices and services. The Commission is examining the proposals outlined in the "AllVid" *Notice of Inquiry*, which requested public comment on specific steps to establish a standardized interface or "gateway" that would enable smart navigation devices to deliver video from any multichannel video programming distributor, the Internet, and other sources together.

Page 2—The Honorable Rick Boucher

I appreciate your interest in this important matter and your longstanding leadership on communications policy. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line and a small dot at the end.

Julius Genachowski